

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
December 21, 1999, 9:00 A.M.

City Hall
455 North Main

ORDER OF BUSINESS

- Call to Order
- Invocation –
- Pledge of Allegiance
- Approve the minutes of the previous meeting

AWARDS AND PRESENTATIONS

- Distinguished Service Citation
- Proclamations

PUBLIC AGENDA

- 1. Rev. Shedra K. Moore.

NEW BUSINESS

- 2. Public Hearing and Tax Exemption Request - Rand Graphics, Inc. (District IV)

Rand Graphics requests approval of an economic development tax exemption on expansion of the 500 South Florence facility.

RECOMMENDED ACTION: Approve the tax exemption first reading
of the Ordinance.

3. Pension Employer Contribution Shortfall Reserve Subfund.

The proposed Ordinance would establish an "Employer Contribution Shortfall Reserve Subfund."

RECOMMENDED ACTION: Approve the Declaration of Emergency;
and adopt the Ordinance on first reading.

Addendum Item

3a. Naming of Public Property (Pawnee Prairie Park/Golf Course).

The Pawnee Prairie Park/Golf Course Renaming Committee recommends the Pawnee Prairie Golf Course be renamed the "Tex Consolver Golf Course."

RECOMMENDED ACTION: Approve the naming of public property.

CITY COUNCIL AGENDA

Addendum Item

4a. City of Newton - Request for Moratorium. (Council Member Martz)

4. Board/Commission Appointments.

RECOMMENDED ACTION: Make the appointments.

5. Proclamations.

RECOMMENDED ACTION: Authorize issuance of the Proclamations.

CONSENT AGENDA

(Including Addendum Items 14h, 17a, and 20a.)

6. Report of the Board of Bids and Contracts Dated December 20, 1999.

RECOMMENDED ACTION: Receive and file the report; approve the
Contracts and authorize the necessary
signatures.

7. Plans and Specifications:

- a. 1999 Sanitary Sewer Reconstruction Program - Phase 8 (various locations) (468-83054/620276/669401) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date January 26, 1999 (District II, III & VI)
- b. Paving Mead from Douglas to First (Mead, north of Douglas) (472-82855/764522/490555) Access shall be provided through construction. City Council approval date August 12, 1997 (District VI)
- c. Waterline Replacement, Mead from Douglas to First (Mead, north of Douglas) (448-89217/634915/544146) Access shall be provided through construction. City Council approval date August 12, 1997 (District VI)
- d. Water Line in Market from First Street North to Central (west of Broadway, south of Central) (448-89352/636087/779167) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date June 22, 1999 (District VI)

RECOMMENDED ACTION: Approve the Plans and Specifications and instruct the City Clerk to advertise for bids to be submitted to the Board of Bids and Contracts by 10:00 a.m., January 7, 2000.

- a. Harry from Webb Road to Greenwich Road (south of Kellogg, east of Rock Road) (87 N-1003-01/472-83091/448-89298/706771/635602/209232/769662) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date 4/20/1999 (District II)

RECOMMENDED ACTION: Approve the Plans and Specifications and instruct the City Clerk to advertise for bids to be submitted to the Board of Bids and Contracts by 10:00 a.m., January 21, 2000.

8. Subdivision Plans and Specifications.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids.

9. Preliminary Estimate.

- a. Wichita railroad removal and demolition, Elizabeth to Broadway. (472-83101/706774/405235) Traffic to be maintained during construction using flagpersons and barricades on arterial streets; residential streets will experience some temporary closures. City Council approval date: 10/26/1999. (District I, IV) - \$299,987.75

RECOMMENDED ACTION: Approve and file.

10. Petition to Remove Basement Encroaching into Street Right-of-Way at Douglas and Market. (District VI)

RECOMMENDED ACTION: Approve the Petition and adopt the Resolution.

11. Minutes of Advisory Boards/Commissions:

Metropolitan Area Planning Commission (MAPC), 9-30-99

Metropolitan Area Planning Commission (MAPC), 9-30-99

RECOMMENDED ACTION: Receive and file.

12. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve the street closures/uses.

13. Report on Claims Allowed – November, 1999:

<u>Name of Claimant</u>	<u>Amount</u>
Jean Burns (Hultman)	\$1,149.36*
Loretta Hervey-Shine	\$1,300.00*
John Chance	\$1,000.00*
Andrew Mullins	\$328.69
Kansas Gas Service	\$292.09*
Kansas Gas Service	\$411.45*
LeRene James	\$150.00
Betty Fields	\$200.00*

*Settled for a lesser amount than originally claimed.

RECOMMENDED ACTION: Receive and file.

14. Agreements/Contracts:

- a. 2000 Tourism and Convention Contracts.
- b. Design services for Wilderness at the park - south of Pawnee, east of Maize. (District V)
- c. Supplemental - design services for Lincoln Bridge at Dry Creek. (Districts II and III)
- d. Technical services - Data Center.
- e. CDBG Contract - Youth Alliance Program.
- f. Amendment to CDBG Agreement-Eaton Place
- g. Teamster Memorandum of Agreement for 2000-2002.

Addendum Item 14h)

- h. Management services assistance.

RECOMMENDED ACTION: Approve the agreements/Contracts and authorize the necessary signatures.

15. War Industries Sewer Reconstruction.

RECOMMENDED ACTION: Approve the project expenditure and notice of intent to publish; and adopt the Resolution.

16. Budget Adjustments:

- a. Public Works.
- b. Water and Sewer.

RECOMMENDED ACTION: Approve the budget adjustments.

17. Grant Application for Resident Opportunities and Self Sufficiency Program (ROSS).

RECOMMENDED ACTION: Authorize submission and acceptance of grant.

Addendum Item

17a. Race Relations Dialogue Proposal.

RECOMMENDED ACTION: Approve the proposal and authorize funding participation.

18. Repair or Removal of Dangerous and Unsafe Structures

<u>Address</u>	<u>District</u>
329 South Leonine	IV
1623 North Estelle	I

RECOMMENDED ACTION: Adopt the Resolutions setting the public hearing for February 8, 2000, at 11:00 a.m.

19. Street Lighting Resolution #6-99.

RECOMMENDED ACTION: Adopt the Resolution.

20. Amended Bonding Resolutions.

RECOMMENDED ACTION: Adopt the Resolutions.

Addendum Item.

20a. Bonding Resolution - Land Acquisition.

RECOMMENDED ACTION: Adopt the Resolution.

21. Annual Perimeter Resolution.

RECOMMENDED ACTION: Adopt the Resolution.

22. Ordinances Establishing Position Pay Plan.

RECOMMENDED ACTION: Approve the Declaration of Emergency;
and adopt the Ordinance on first reading.

23. Second Reading Ordinances: (First read December 7, 1999)

a. Webb Road Improvement, from Pawnee to Harry. (District II)

An Ordinance declaring Webb Road, from Pawnee to Harry (472-83093) to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same.

b. Pawnee Street improvement, from Oak Knoll to Webb Road. (District II)

An Ordinance declaring Pawnee Street, from Rock to Webb (472-83087) to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same.

c. Operating a motor vehicle without liability insurance.

An Ordinance amending Sections 11.13.010, 11.13.040 and 11.13.050 of the Code of the City of Wichita, Kansas, pertaining to motor vehicle liability insurance and the penalty for operating a vehicle without liability insurance, and repealing the originals of said sections.

d. Criminal deprivation of property.

An Ordinance amending Section 5.42.080 of the Code of the City of Wichita, Kansas, pertaining to criminal deprivation of property and the penalty therefor, and repealing the original said section.

(Item #23 continued)

e. District Advisory Boards.

An Ordinance creating Sections 2.12.1200 and 2.12.1201, of the City of Wichita, Kansas, enacting a sunset provision for all Boards and Commissions of the City of Wichita, Kansas.

An Ordinance of the City of Wichita, Kansas, pertaining to the establishment of District Advisory Boards and creating Chapter 2.61 of the Code of the City of Wichita.

f. Restructuring of Boards and Commissions

An Ordinance amending Sections 2.12.820 and 2.12.830 of the Code of the City of Wichita, Kansas, pertaining to Human Services Board-powers-authority-composition-appointment-qualifications and repealing the originals of Sections 2.12.820, 2.12.830, 2.12.840, 2.12.850, 2.12.860, and 2.12.870 pertaining to the Human Services Board.

An Ordinance repealing Sections 2.12.900, 2.12.905, 2.12.906, 2.12.907, 2.12.908, 2.12.910, 2.12.915, 2.12.920, 2.12.925, 2.12.930, 2.12.935, 2.12.940, 2.12.941, 2.12.942, 2.12.945, 2.12.1027, 2.12.1028, 2.12.1029, 2.12.1030, 2.12.1031, 2.12.1032, 2.12.1078, 2.12.1079, 2.12.1080, 2.12.1081, 2.12.1082, 2.12.1083, 2.12.1150, 2.12.1153, and 2.12.1156 of the code of the City of Wichita, Kansas, pertaining to the Civil Rights and Services Board; Commission on the Status of Women; Commission on the Status of People with Disabilities, and pertaining to the Wichita Transit Advisory Board.

An Ordinance repealing Sections 11.06.010, 11.06.020, 11.06.030, 11.06.040, and 11.06.060 of the Code of the City of Wichita, Kansas, pertaining to Traffic Commission.

g. Establishment of a Redevelopment District (Tax Increment Financing) for the Old Town Cinema Project. (District VI)

An Ordinance of the City of Wichita establishing the Old Town Cinema Redevelopment District.

h. Water and sewer rate adjustment.

An Ordinance amending Section 16.14.040 of the Code of the City of Wichita, Kansas, relating to the schedule of rates for users of the sanitary sewer system, and repealing the original of said section.

An Ordinance amending Section 17.12.090 of the Code of the City of Wichita, Kansas, pertaining to schedule of rates and charges for water service, and repealing the original of said section.

i. 119th Street West Bridge at Calfskin Creek. (District V)

An Ordinance amending Ordinance No. 43-901 of the City of Wichita, Kansas, declaring the Mt. Vernon Bridge over Gypsum Creek, 25th Street North Bridge over the West Drain, 37th Street North Bridge over the Little Arkansas River, 119th Street West Bridge over Calfskin Creek, Eastern Street Bridge over Gypsum Creek, Murdock Avenue Bridge over the drainage canal (1998-1999 Bridge Construction Program) to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same.

j. 2000 Budget.

An Ordinance appropriating the amounts set up in each fund in the budget; providing for the payment of all claims and charges against the accounts provided for therein; and approving and ratifying the payment of all claims against the accounts.

- k. PUD 10 - south side of 13th Street North, west of Maize Road. (District V)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County unified Zoning Code, Section V-C, as adopted by city of Wichita Code Sec. 28.04.010. PUD 10

- l. A 99-19 - north and south of Kellogg and East and west of 143rd Street East.

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A 99-19

- m. A 99-20 - southeast corner of 21st Street North and Hoover.

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A 99-20

- n. Charter Ordinance - Municipal Electric Utility.

A Charter Ordinance of the City of Wichita, Kansas, establishing a municipally owned and operated electric utility for the City of Wichita and exempting the City from the provisions of K.S.A. 13-1220, 13-1221, 13-1222, 13-1223, 13-1224, 13-1225, 13-1226, 13-1227, 13-1228, 13-1229, 13-1230, 13-1231, and 13-1232.

- o. Charter Ordinance - Convention and Tourism Committee.

A Charter Ordinance repealing Section 9 of Charter Ordinance No. 119 of the City of Wichita, Kansas, pertaining to the Convention and Tourism Committee and amending and repealing Section 1 of Charter Ordinance No. 174 of the City of Wichita, Kansas, pertaining to the application of revenues from the transient guest tax.

- p. Municipal Court Judge.

A Charter Ordinance amending Section 1 of Charter Ordinance No. 1,67 pertaining to judges of the municipal court and creating an administrative traffic court and administrative hearing officer, providing substitute and additional provisions on the same subject.

RECOMMENDED ACTION: Adopt the Ordinances.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

*Consent

- *24. S/D 96-39 - Plat of Power C.D.C. Addition Located West of Grove, South of 21st Street North. (District I)

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the document and Plat; authorize the necessary signatures and adopt the Resolution.

- *25. S/D 98-116 - Plat of Viña Del Rey Estates Located North of 55th Street South, on the East Side of Woodlawn.
(District V)

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the documents and Plat and authorize the necessary signatures.

- *26. S/D 98-123 - Plat of Four Oaks Addition Located on the Southwest Corner of 37th Street North and 127th Street East. (District I)

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the documents and Plat and authorize the necessary signatures.

- *27. S/D 99-66 - Plat of Evergreen 2nd Addition Located West of Maize, South of 29th Street North. (District V)

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the documents and Plat; adopt the Resolutions and authorize the necessary signatures.

- *28. D-1779 - Dedication of Access Control for Property Located on the Northeast Corner of 44th Street South and Seneca. (District IV)

MAPC Recommendation: Accept the dedication.

RECOMMENDED ACTION: Accept the dedication.

29. Z-3342 - Zone Change from "B" Multi-Family Residential to "NO" Neighborhood Retail on 0.15 Acres Located North of Douglas and West of Glendale (131 North Glendale). (District II)

MAPC Recommendation: Approve "NO" Neighborhood Office.

CPO Recommendation: Approve "NO" Neighborhood Office.

Staff Recommendation: Deny "NR" Neighborhood Retail, but support "NO" Neighborhood Office.

RECOMMENDED ACTION: 1. Concur with the findings of the MAPC and approve the zone change; place the Ordinance establishing the zone change on first reading; OR

2. Return the application to the MAPC for reconsideration.

30. Z-3343 - Zone Change from "SF-6" Single-Family to "TF-3" Two-Family on 7.66 Acres, Located Approximately One-Third Mile East of Ridge Road, and One-Fifth Mile South of 37th Street North. (District V)

MAPC Recommendation: Approve subject to Platting within one year.

CPO Recommendation: Approve subject to Platting within one year.

Staff Recommendation: Approve.

RECOMMENDED ACTION: 1. Concur with the findings of the MAPC and approve the zone change; OR

2. Return the application to the MAPC for reconsideration.

31. Z-3344 - Zone Change from "SF-6" Single-Family to "MF-29" Multi-Family on 7.92 Acres Located on the South Side of 34th Street North, Approximately 300 Feet East of Ridge Road. (District V)

MAPC Recommendation: Approve subject to Platting within one year.

CPO Recommendation: Approve subject to Platting within one year.

Staff Recommendation: Approve.

RECOMMENDED ACTION: 1. Concur with the findings of the MAPC and approve the zone change; OR

2. Return the application to the MAPC for reconsideration.

Adjournment
